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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

ROY DeSHAN TAYLOR,

Petitioner,

v.

RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:10-CV-0204

ORDER ADOPTING REPORT AND RECOMMENDATION,
GRANTING PETITIONER'S MOTION TO DISMISS,
DENYING RESPONDENT'S MOTION TO DISMISS,
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS


On August 25, 2010, petitioner filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary proceeding. On October 8, 2010, respondent file a motion to dismiss petitioner's habeas application. On November 29, 2010, petitioner filed a pleading requesting this Court dismiss his habeas corpus petition. On January 6, 2011, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's motion to dismiss be granted, and that petitioner's habeas application be dismissed. As of this date, no objections to the Report and Recommendation have been filed.

The undersigned United States District Judge has made an independent examination of the record in this case. The Magistrate Judge's Report and Recommendation is hereby

ADOPTED. Accordingly, petitioner's motion to dismiss is GRANTED. Respondent's motion to dismiss is DENIED as unnecessary. The petition for a writ of habeas corpus filed by petitioner ROY DeSHAN TAYLOR is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 7th day of February 2011.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE